

THE HONOURABLE SRI JUSTICE C.V. RAMULU

WRIT PETITION NO.3507 OF 1996

DATED: 25-01-2007

Between:

T. Sudarshan and others

.. Petitioners

and

Government of Andhra Pradesh
represented by its Secretary, Food
& Agriculture (Co.op-VI)
Department and others.

.. Respondents

THE HONOURABLE SRI JUSTICE C.V. RAMULU

WRIT PETITION NO.3507 OF 1996

ORDER:

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_____ This writ petition is filed seeking a mandamus directing the respondents to regularize the services of the petitioners in their respective posts with retrospective effect from 1992 i.e. from the date of completion of three years of service, on par with other employees with all consequential benefits after declaring the inaction of the respondents, as illegal and arbitrary.

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_____ In all, 18 persons filed this writ petition. Now, the learned counsel for the petitioners states that he has no instructions in respect of 14 persons and presently the writ petition is confined only to petitioners 2, 10, 14 and 15 who are working in their respective posts.

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_____ At the time of admitting the writ petition, an interim order was passed on 19-04-1996 directing the respondents not to terminate the services of the petitioners until further orders. In view of the same, it must be deemed that the petitioners 2, 10, 14 and 15 are continuing in service as on today.

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_____ There is no necessity of going into all the details. The learned counsel for the petitioners placed before the Court additional material papers showing that the A.P. State Cooperative Rural Irrigation Corporation Limited (fort short 'the Corporation') has issued a Circular dated 13.07.2006 wherein it was stated that as per the resolution of the Managing Committee of the Corporation dated 13.07.2006,

it has been agreed to extend the emoluments to NMR employees of PRC 1999 on par with regular employees with effect from 01.04.2005 without any Annual Grade Increments and all the Executive Engineers, Dy. Executive Engineers are requested to implement the minimum emoluments to NMR employees working under their control, duly obtaining an undertaking in the format enclosed. The additional material papers filed by the learned counsel for the petitioners also contain a letter dated 24-03-2006 purported to have been addressed by the Managing Director of the Corporation wherein the category wise NMR employees were shown and it was further stated that 52 posts are vacant in the category of Attenders and Helpers and as such it is proposed to regularize 7 NMRs in the categories of Assistant-cum-Typists and L.V. Drivers by adjusting vacancies from the cadre of Attenders and Helpers. Further, keeping in view of the above, requested the Government to permit it to regularize the services of 7 NMRs in the category of Assistant-cum-Typists and L.V. Drivers on par with the remaining ten in the cadre of Asst. Engineers, Attenders and Helpers and the governmental orders are awaited.

In view of the above, the respondents are directed to consider the case of the petitioners 2, 10, 14 and 15 for regularization of their services in the cadre to which they are entitled, as soon as the approval is accorded by the Government, and pass appropriate orders as per law. However, till the governmental instructions are issued and regularization is effected, the services of the said petitioners shall not be disturbed and they shall also be

paid wages as per Circular dated 13-07-2006
referred to above.

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With the above directions, the writ petition is
disposed of. There shall be no order as to costs.

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In respect of the remaining petitioners, the writ
petition stands dismissed.

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C.V. RAMULU, J

25th January 2007.
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